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TO

THE PARLIAMENTARY DEBATES

(AUTHORISED EDITION).

VOLUME XIV. FOURTH SERIES.

SEVENTH VOLUME OF SESSION 1893.

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(*Thirty-sixth Night*) *July* 12, 1381; Debate resumed on Mr. P. Smith's Amendt.; Division, 1418; Amendt. (Mr. W. E. Gladstone), 1425; R.P.

(*Thirty-seventh Night*) *July* 13, 1485; Debate resumed on Mr. W. E. Gladstone's Amendt. Division, 1545

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Clause XXVII. (*As to existing Judges and other persons having salaries charged on the Consolidated Fund*)

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l. Returned from the Commons *July* 13, 1450

(No. 5)

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l. Read 2ª, and com. to Com. of the Whole House *June* 27, 129
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l. Royal Assent *June* 29, 301

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(No. 5)

l. Royal Assent *June* 29, 301

(No. 6)

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(No. 8)

l. Read 2ª *June* 27, 129
Com.; Reported; Standing Com. negatived *July* 7, 1044
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(No. 9)

l. Royal Assent *June* 29, 301

(No. 10)

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(No. 12)

l. Read 2ª *June* 27, 130
Com.; Reported; Standing Com. negatived *July* 7, 1045
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c. Reported *July* 12, 1429
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l. Read 2ª, and com. to Com. of the Whole House *June* 27, 130
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(No. 15)

l. Read 2ª, and com. to Com. of the Whole House *June* 27, 130
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l. Read 2ª, and com. to Com. of the Whole House *June* 27, 130
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l. Read 2ª *June* 27, 130
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(No. 1)

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l. Read 1ª *July* 7, 1045
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. Bill withdrawn *July* 10, 1251

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Cholera Precautions, Q. Mr. T. Chamberlayne; A. Sir E. Grey *July* 11, 1268
Commercial Treaty with, Qs. Mr. Baird, Mr. Whittaker; As. Sir E. Grey *July* 13, 1452
H.M.S. "*Howe*," *Repairs to*, Q., Obs. Viscount Sidmouth, Earl of Rosebery *July* 3, 651
International Union for the Protection of Industrial Property and Trade Marks, Qs. Mr. Stuart-Wortley; As. Sir E. Grey *July* 17, 1685

Speaker, The (RIGHT HON. ARTHUR WELLESLEY PEEL), *Warwick and Leamington*

ADJOURNMENT OF THE HOUSE TO DISCUSS MATTERS OF URGENT PUBLIC IMPORTANCE
The Speaker could not put the Motion to adjourn the House upon the Question (Cholera Precautions). It was apparent, from the language of the hon. Member (Mr. H. S. Foster), that two Motions were down on the Paper for Friday; and putting those two together the discussion which would legitimately arise upon them would be precisely the same as would arise under this Motion *July* 3, 689

CLOSURE
(Government of Ireland Bill—Proposed new Rule)—There was an exact precedent for putting the Question upon an Amendt. so as not to exclude further Amendts. On the application of Mr. Parnell the Speaker did exactly the same thing, and he should do it now. He would put the Question, "That the words proposed to be left out stand part of the Question," only down to a certain point, so as to safeguard any further Amendts. *June* 29, 366

SPEAKER, THE—cont.
COMMITTEES' REPORTS
Premature Publication of—There was a prevalent impression that when a Committee's Report was laid upon the Table it at once became public property. That view had been acted upon in several instances, but the Speaker was bound to say that the more regular practice was that the Members of the House should be the first to be put in possession of the results of the deliberations of Select Committees *July* 4, 812

MEMBERS
Whoever used the expression "Judas" made use of an improper and ungentlemanly expression. The Speaker should take no further notice of it *June* 29, 471, 472
Personal Explanations (Mr. Dillon and Mr. J. Chamberlain). A Member might offer his personal explanation. The thing to be avoided was recrimination. The Member was not entitled to make any personal reflection on another Member. If a Member was not in the House to explain for himself, the House might think it not improper to listen to an explanation from a colleague. It was impossible for the Speaker to go into the whole Debate *July* 4, 816, 817, 818
Suspension of Mr. Sexton—There were two Standing Orders. One was entitled "Order in Debate: Suspension of Members," and the other "Order in Debate: Disorderly Conduct." The Chairman of Committees was perfectly competent, if circumstances should arise, to order a Member to withdraw from the House—as a lesser degree of punishment than would be entailed if he were named to the House, and suspended from the service of the House, the suspension carrying with it seven days' exclusion, the withdrawal from the House only entailing withdrawing from the precincts of the House during the evening. There was no need to refer to the Speaker in the case of an order to withdraw. In the case of a Member being named it would be necessary to refer to the Speaker, and the Speaker would return into the House, and again the Question would be put whether the Member should be suspended or not. But in this case the Chairman took a more lenient view, so far as the degree of punishment was concerned, and it was within his jurisdiction to do so. The Speaker was not entering into the circumstances, but it was perfectly competent for the Chairman to order the Member to withdraw without reference to the Chair, and the Speaker hoped that no appeal would be made to the Chair on this or any other occasion. In answer to the question as to whether the Rule governing the Order of the House necessitated the sense of the House being taken, the Speaker said that the Member was not named. Naming was quite a different thing from requesting a Member to withdraw from the House, as he had already stated. Withdrawal was a matter of summary jurisdiction (if the Speaker might

SPEAKER, THE—Members—cont.

use such an expression) of the Chairman of Committees *July* 11, 1371, 1372

The Speaker had to guard himself from any criticism on what took place. The Member asked the Speaker a definite question as to the mode by which he could obtain the judgment of the House upon the conduct of the Chairman of Committees. The Speaker replied that it was not a question of Privilege, but of Order, and the Member's proper course would be to put a Motion on the Paper for the purpose of doing what he wished. That would be in Order, and it had been done before in similar cases. The Speaker had already entered fully into the Standing Orders 21 and 27 *July* 12, 1374

Members' Seats and Hats—A Member might early, within a reasonable time before Prayers, put his hat upon a seat, and thereby lay the foundation of a claim to that seat. That claim could only be perfected and completed by the attendance at Prayers of the Member who had placed the hat on the seat. After that time he retained undisputed possession of the seat in question for the rest of the evening. The Member who placed his hat upon the seat was expected not to leave the precincts of the House. It was irregular for a Member to have two hats—to deposit one in the House, and to go away wearing the other *July* 13, 1484

MISCELLANEOUS

June 29, 433, 458, 469, 583; *June* 30, 547, 553, 554, 557, 560; *July* 7, 1078; *July* 10, 1147; *July* 11, 1278; *July* 13, 1464; *July* 17, 1685

PRIVILEGE

Mr. Speaker and Mr. Conybeare's Letter to "*The Daily Chronicle*"—The Speaker did not know whether the way in which the Member had introduced the question permitted him to say anything to the House then. It was at no instance of the Speaker that the question had been brought forward. He did not read the letter, and did not know its contents until it was read to the House. The Member who had signed the letter had in past Parliaments taken upon himself to censure the Speaker's conduct in the Chair, and past Parliaments had signified their disapprobation of the Member's conduct. The Speaker did not think it was respectful to the House for any Member who thought the Speaker's conduct censurable to write to the newspapers. The proper course was to impugn the Speaker's conduct in the House, where he could meet the imputations. The Member was not justified in saying that the Speaker treated him with curt severity. It appeared to the Speaker that the Member was defending himself against a charge, made against him by someone, that his intervention for the Closure was inopportune at the moment, and so the Speaker deemed it to be. The Speaker's action during the whole evening was before the House. The Speaker maintained that his action in refusing the Closure actually led to a friendly

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SPEAKER, THE—Privilege—cont.

arrangement being made between both sides of the House, which otherwise would not have been arrived at for some time. The only part the Speaker could take now was to deprecate any severe action on the part of the House which it might be willing to take as regards the Member. The course open to the Speaker was to leave his conduct to the judgment of calm-thinking and fair-minded men. The Speaker could feel nothing more deeply than that there should be any just reflection upon his conduct in the Chair. The past relations in which the House had permitted him to stand towards them justified him in thinking that he was not generally accused of what the Member had accused him of, and the Speaker ventured to say that there was not another Member of the House who would think so, or who would accuse him of having ever been partial to one side or the other *July* 4, 821

The Speaker did not choose to sit quiet under the fresh imputations of the Member, and all that he could do, if the doctrine laid down by the Member was accepted by the House, was not to consent to occupy the Chair for 24 hours. Why the Speaker made the remarks the other day, and why he regarded the charge of the Member as a gross imputation on his conduct, was because the Member alone among the Members of the House had on previous repeated occasions done exactly the same thing. The Speaker was sorry to have to say that; but he would not sit down under the imputation that the Member, in the action he had taken against the Speaker, was performing the part of a great public duty. Under the guise of a great public duty he had repeated those charges, which were gross. In April, 1887, the Member made charges against the Speaker of a most outrageous character; they were taken notice of in the House; the Member then apologised; a Member came to the Speaker's Chair, and said he should move that what the Member had said was a gross Breach of Privilege of the House, and the Speaker begged him not to do so; another Member on that occasion put into the Speaker's hands a notice that the Member be expelled this House, and the Speaker begged him not to do so. The matter rested with an apology; but in 1888, on July 20, the Member thought proper in this House to make use, with regard to the Speaker, of a scandalous expression. The Speaker then named the Member, and he withdrew the expression, and no further action was taken. On the next day—in the meantime the Member had written a letter to a public journal accusing him of gross partiality—he disclaimed the intention of accusing him of partiality; but the very terms which he then used he now repeated in the letter. (The Speaker hoped the House would excuse his personal feeling in the matter. He desired to stand well with that Assembly, and to repudiate with honest indignation the charge that the Member had brought against him.) On that occa-

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SPEAKER, THE—Privilege—cont.

sion the House took action. The House passed two Resolutions. The first was that the letter of the Member to a journal was a gross libel upon the Speaker. The second Resolution was that he be suspended, and he was suspended; and now, under the guise of performing a great public duty, the Member charged the Speaker with a gross offence—the grossest offence that a man in the Speaker's position could commit. There was no man on that (the Ministerial) Bench who could get up and say that the granting of the Closure—for not doing which the Member condemned the Speaker—would not have been grossly unfair at the time he made the Motion. The Speaker hoped the House would pardon him the heat and warmth he had shown in the matter. The Speaker appreciated the remarks of the right hon. Gentleman (Mr. W. E. Gladstone), and he desired to apologise to the House for having shown personal indignation in the matter. The offence that had been committed was not an offence against the Speaker personally, but against the Office the Speaker held, and, through it, an offence against the House itself. The Speaker suggested to the House that if the Member would come into the House and apologise, not to the Speaker personally, but to the Speaker in his capacity as Speaker of the House, and would apologise through the Speaker to the House of Commons itself, in that case the Speaker would respectfully suggest that the House accept the apology, and that the Motion be withdrawn *July* 7, 1102, 1108

QUESTIONS

Debateable points in Questions ought to be omitted *June* 26, 51

The words "miscarriage of justice" should have been omitted from a statement upon the Question Paper, "That, although the men were fully identified by the bailiffs, a miscarriage of justice occurred on account of the local jury refusing to convict." It would probably be the duty of the Minister to explain whether or not the men were guilty of a former charge of which they were acquitted *July* 3, 681, 682

A Member made himself responsible for the facts contained in the Question. It was for the Minister who replied to correct them if not true *July* 10, 1156

This was hardly the occasion to enter into questions which might properly form the subject of an address to His Excellency (Lord Lieutenant of Ireland). The Question seemed to be an argumentative one *July* 11, 1280

The Member should put the Question down on the Paper. In such a case, it was not customary to read the notice *July* 11, 1287

ROYAL WEDDING—BANKS AND POLICE PROTECTION

The Speaker's attention had been called to two notices upon this question which had been put down, but the Member (Colonel

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SPEAKER, THE—Royal Wedding—Bands and Police Protection—cont.

H. Vincent), who had obtained leave to move the Adjournment of the House for the purpose of discussing the matter, had framed his Motion in such a way that the Speaker could not interfere. The Question was as to the expediency or inexpediency of declaring a public holiday for the sake of the *employés* of the banks, and the Debate must be strictly confined to the point as to the safety of the bank officials in carrying securities through the streets on the day in question *June* 29, 372

RULES AND ORDER OF DEBATE

In answer to a Question as to whether Rule 203, which stated "The Clerk shall turn the three-minute sand-glass," had been complied with, the Speaker said he had checked the time himself, and did not think there had been any unfairness *June* 29, 372

As a Member was out of Order, any comment upon his remarks would be out of Order *June* 30, 554

The vote of a Member who had not heard the Question put could not be recorded *June* 30, 557

Because there would, according to a right hon. Gentleman's argument, be no opportunity of discussing the Land Question later on, he was not entitled to discuss it now. He was entitled to show what were the elements of controversy and the elements of importance in the clause; but he was not entitled on it to argue the general question of the land itself, or the relation of landlord or tenant *June* 30, 576

Criticisms, either collectively or individually, could not be made as to the conduct of Judges (Mr. Justice Gibson's Charge to the Grand Jury). There was a Rule to the effect that it was impossible, except by direct vote of the House, to impugn the conduct of Judges *July* 7, 1090, 1091

It would be a strained interpretation of the Rule to say that, because the Chief Secretary quoted the actual textual Charge of the Judge on a particular point, he should lay the whole document on the Table of the House. He could lay it on the Table at once, or he could await a Motion on the subject *July* 14, 1570

Bills not reached became blocked Orders, and were put off till next day *July* 10, 1252

The statement of a Member, in making an appeal in the hope that objection to the 2R. of a Bill would be withdrawn, would necessarily be short *July* 10, 1250

SUPPLY

Supply should have been set up for Friday, Monday, and Wednesday *July* 12, 1429

Speaker, The

Royal Wedding—Attendance at and Absence from the House, Obs, Mr. Speaker *July* 5, 950

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l. Reported *July* 18, 1811
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END OF VOLUME XIV., AND SEVENTH VOLUME OF SESSION 1893.

PRINTED BY EYRE AND SPOTTISWOODE, HER MAJESTY'S PRINTERS,
East Harding Street, E.C., and 41, Parker Street, W.C.